

# Conceptual Management Plan

## *St. Lawrence Wetland and Grassland Management District*







# **Conceptual Management Plan for the St. Lawrence Wetland & Grassland Management District**

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***Prepared by***

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## ***Introduction***

### **Purpose of Conceptual Management Plan**

The U.S. Fish and Wildlife Service (Service, we, our) developed this conceptual management plan to describe the management direction for the St. Lawrence Wetland and Grassland Management District



*Bobolinks depend on grassland areas for nesting and raising young,  
© Scott A. Vincent*

and outline interim public uses and biological activities on proposed and newly acquired lands. The actions this CMP proposes will direct the way we manage conservation easements and waterfowl production areas (WPAs) in the district until we develop its comprehensive conservation plan—by policy, within 15 years of the approval of this conceptual management plan. Any major changes in the actions this CMP proposes, any new actions, and our development of the CCP will be subject to public review and comment in accordance with the provisions of Service Policy (602 FW 1 and 3) and the National Environmental Policy Act of 1969.

### **Mission of the Service and the National Wildlife Refuge System**

The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management and, where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans. The System now comprises 95 million acres on more than 545 national wildlife refuges and 3,000 wildlife protection areas. More than 40 million visitors each year participate in such outdoor pursuits as

hunting, fishing, wildlife observation and photography, and environmental education and interpretation.

The mission of the Service is working with others to conserve, protect and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people. As part of the Department of the Interior, we manage the refuges in the System and 66 national fish hatcheries, 78 ecological services field stations and 64 fish and wildlife assistance offices. We also enforce federal wildlife laws, honor international treaties, assist foreign governments in their conservation efforts, and oversee the Federal Aid Program, which distributes hundreds of millions of dollars from excise taxes on fishing and hunting equipment to state fish and wildlife agencies.

We will designate the lands we acquire in fee title in Jefferson County as waterfowl production areas (WPAs), and manage them as part of the System.

#### **Background and Rationale for the Establishment of the St. Lawrence WMD**

The St. Lawrence WMD became an administrative office of the Service in 1997. Its headquarters in Richville, New York, is centrally located in the St. Lawrence Valley, and manages 19 wetland easements totaling 1,500 acres. We manage the district office as a satellite field station of the Montezuma National Wildlife

Refuge, in concert with a small, resident staff of 1 to 3 employees stationed in Richville.

Since 1997, the district has served as a demonstration site and logistical center for implementing our Partners for Fish and Wildlife (PFW) private lands program in the



*St. Lawrence WMD office in Richville, NY, USFWS*

St. Lawrence Valley and delivering wildlife conservation and habitat restoration projects on private land in cooperative partnerships with private landowners. PFW agreements are not easements, and do not effect ownership in any way.

Hundreds of landowners in the valley have voluntarily collaborated with district staff in restoring thousands of acres of wetland and grassland habitat on private land. Since 1997, the goal of the district has been to *maintain and improve the exemplary fish and wildlife resources in the St. Lawrence Valley* by working cooperatively with local communities, farmers and private landowners in an ecologically sound, economically feasible and socially acceptable way. Our permanently protecting important waterfowl and migratory bird habitat on 8,000 acres in the Jefferson County Focus Area will supplement that goal and the PFW program in the district.

The St. Lawrence Valley is one of the most important areas in the northeastern United States for waterfowl and grassland birds. Our conservation partners and we have recognized its importance in the North American Waterfowl Management Plan Atlantic Coast Joint Venture Partnership and the North American Bird Conservation Initiative. Our biological reconnaissance, resource analysis and field studies in the late 1980s confirmed that the abundant freshwater habitat and extensive agricultural grassland interspersed in the valley provide habitat essential for wildlife.

The valley supports dense breeding populations and large migratory populations of waterfowl and grassland bird species, many of which are uncommon and are declining elsewhere in eastern North America. Consequently, we started planning, generated a proposal and released an environmental assessment in 1990 to establish a 49,000-acre national wildlife refuge in the valley. That proposal ignited public concern over land acquisition and its economic impact on farming and the local tax base. In 1992, we withdrew it.

Despite that withdrawal, our strong desire to conserve those valuable wetlands, grasslands and wildlife prompted us to adopt a new conservation

model for use in the valley: the “district-style approach.” It would not concentrate habitat conservation around a geographically centered land base, but rather, would distribute it across a large district. Area residents favorably received that approach, which proved more practical in effectively managing the scattered distribution of wetland and grassland resources across the expansive landscape of the valley. In 1997, we opened the headquarters of the St. Lawrence WMD to promote wildlife conservation and cooperative partnerships with area residents and stakeholders.

We have used that approach successfully for more than 40 years to manage thousands of waterfowl production areas and conservation easements in states in the Prairie Pothole Region and mid-continental “duck factory” of the United States (Minnesota, Montana and the Dakotas).



*The St. Lawrence Valley contains abundant wetlands teeming with life and bordered by grasslands, agricultural hay lands and upland fields—a combination providing critical wildlife habitat, USFWS*

### **Like the Prairie**

Pothole Region, the St. Lawrence Valley contains abundant wetlands, glaciated potholes, small depressions and aquatic flowages that teem with aquatic life and are bordered by grasslands, agricultural hay lands and upland fields that provide vital breeding and nesting habitat for waterfowl and other wildlife. The same ecological conditions, biological realities and practical considerations that led the Service to establish wetland management districts and acquire easements and small wetlands as waterfowl production areas throughout the prairie pothole states since 1958 also apply in the St. Lawrence Valley in 2006. Those factors influenced our decision to propose the

permanent protection of important waterfowl and other migratory bird habitats in the “duck factory” of the Atlantic Flyway, the St. Lawrence WMD.

The district approach also facilitated the efficient management of the very popular, landowner-friendly private lands program, Partners for Fish and Wildlife. As valuable and successful as that program has proved, we have concluded that we (1) must expand it by increasing PFW activities and funding, and (2) must augment it with a conservation component that provides permanent protection for important waterfowl production areas and guarantees the availability and productivity of critical wildlife habitat. Expanding the PFW in concert with our new easement and WPA initiative will provide all of the conservation tools needed to protect and restore essential habitats for migratory birds and other wildlife.

### **History of Waterfowl Production Areas**

In 1934, Congress passed the Migratory Bird Hunting Stamp Act (Duck Stamp Act), which set the stage for the most aggressive land protection campaign to conserve wildlife habitat in American history. In response to the devastation of farmlands and habitats in the “Dust Bowl” of the late 1920s and early 1930s, this act facilitates the establishment of many national wildlife refuges throughout the United States, and provides a way for hunters to participate in maintaining waterfowl populations.

However, the act was not designed to allow for the purchase of small wetlands. Congress amended it in 1958, authorizing the Service to use money from the sale of Federal Duck Stamps to begin buying small wetland areas and uplands for breeding waterfowl and for hunting. In response to that new congressional authority, the Service started the Small Wetlands Acquisition Program (SWAP) to provide guidelines for facilitating future acquisitions. The wetlands we acquired became waterfowl production areas, which we grouped into administrative units, or wetland management districts.

Nationwide, nearly 3,000 WPAs preserve more than 668,000 acres of wetland and grassland habitat, and nearly 800,000 people visit WPAs each year. By law, WPAs are open for hunting, fishing, trapping and other appropriate public

uses. In the 39 districts nationwide, we have acquired from willing sellers nearly 25,000 conservation easements on private land covering 1.6 million acres. Together, the lands we acquire in fee title, (which become WPAs), and the conservation easements we acquire form a chain of breeding and nesting habitats crucial for waterfowl and other wildlife. The passage of the National Wildlife Refuge System Administration Act of 1966 incorporated those WPAs into the System.

### **Laws Guiding Wetland Management Districts and the NWRS**

A number of laws, policies and regulations, including the following, govern our acquisition and management of land in the St. Lawrence WMD.

#### ***National Wildlife Refuge System Improvement Act of 1997 (Refuge Improvement Act)***

This act guides the development and operation of the System. It clearly identifies the mission of the System, requires the Secretary of the Interior to maintain its biological integrity, diversity and environmental health, mandates a “wildlife first” policy on refuges, and requires comprehensive conservation planning. It also designates six wildlife-dependent recreational uses as priority public uses of the System: hunting, fishing, wildlife observation and photography, and environmental education and interpretation. When we have determined them to be compatible with the purposes of refuges, they are to receive out enhanced consideration in refuge planning

#### ***National Environmental Policy Act of 1969 (NEPA)***

NEPA requires that all federal agencies consult fully with the public in planning any action that may significantly affect the quality of the human or natural environment. The environmental assessment that accompanies this conceptual management plan fulfills our compliance with NEPA

***National Wildlife Refuge System Administration Act of 1966***

This act defines the System, including wildlife refuges, areas for the protection and conservation of fish and wildlife threatened with extinction, wildlife ranges, wildlife management areas, and waterfowl production areas. It also authorizes the Secretary of the Interior to permit any use of an area, provided the use is compatible with the major purposes for establishing the area.

***Archeological Resources Protection Act of 1979 (ARPA)***

ARPA provides protection for archeological resources on public lands by prohibiting the “excavation, removal, damage or defacing of any archeological resource located on public or Indian lands,” and sets up criminal penalties for those acts. It also encourages the increased cooperation and exchange of information between governmental authorities, the professional archeological community, and private individuals having archeological resources or data obtained before 1979.



*Potholes in the St. Lawrence Valley, USFWS*

***National Historical***

***Preservation Act of 1966 (NHPA)***

NHPA requires all federal agencies to consider the effects of their undertaking on properties meeting criteria for the National Register of Historic Places, and ensures that historic preservation fully integrates into the ongoing programs and missions of federal agencies.

***Endangered Species Act (as amended) 1973***

This act directs all federal agencies to participate in endangered species conservation by protecting endangered and threatened species and restoring

them to a secure status in the wild. Section 7 of the act charges federal agencies to aid in the conservation of listed species, and requires federal agencies to ensure that their activities will not jeopardize the continued existence of listed species or adversely modify designated, critical habitats.

***Federal Farmland Protection Policy Act (as amended) 1981***

This act minimizes the extent to which projects contribute to the conversion of farmland to nonagricultural uses.

**Purpose of Establishment and Land Acquisition Authority**

We acquire lands for the System for specific purposes under various laws and administrative mandates. We acquire waterfowl production areas and manage them in wetland management districts under the establishing authority of the Migratory Bird Conservation Act (MBCA) of 1929 and the Migratory Bird Hunting Stamp Act of 1934, often referred to as the Duck Stamp Act. The MBCA provides for the acquisition of lands determined to be suitable as an inviolate sanctuary for migratory birds. The Duck Stamp Act, as amended in 1958, authorizes the Secretary of the Interior to use funds for “acquisition by gift, devise, lease, purchase, or exchange of, small wetland and pothole areas, interest therein, and right-of-way to provide access thereto. Such small areas to be designated as ‘*Waterfowl Production Areas*’ [emphasis supplied] may be acquired without regard to the limitations and requirements of the MBCA. All of the provisions of such Act which govern the administration and protection of lands acquired as Waterfowl Production Areas except the inviolate sanctuary provisions... [16 USC 718(c)] shall be applicable.”

Many refuges established as “inviolate sanctuaries” are closed to hunting and other public uses unless we open them by administrative procedure. However, as soon as WPAs are established, they are open for hunting and other appropriate uses.

Our environmental assessment proposes to leave unchanged the status of the three FmHA transfer properties the Service owns in fee title and the 19 easements in the St. Lawrence WMD. The mandates affecting FmHA easements and fee title transfers would also apply “for conservation purposes”

**[Consolidated Farm and Rural Development Act; 7 U.S.C. 2002]. The Emergency Wetlands Resources Act of 1986 and the North American Wetlands Conservation Act provide additional authority.**

**Statements of the purpose and mission of each unit of the System are primary in managing it. The purposes of each unit derive from the legislative authorities for establishing it, guide its long-term management, prioritize future land acquisition, and play a key role in determining the compatibility of proposed public uses. The purposes and missions of WPAs in the St. Lawrence WMD would resemble those of others already established in the Prairie Pothole Region, and would conform to the SWAP.**

**These are the purposes for the St. Lawrence WMD:**

- **“as Waterfowl Production Areas [subject to] all of the provisions of such Act [Migratory Bird Conservation Act]...except the inviolate sanctuary provisions....” [Migratory Bird Conservation Stamp Act; 16 U.S. C. 718(d)(c)]**
- **“for any other management purpose, for migratory birds.” [Migratory Bird Conservation Act; 16 U.S.C. 715D]**
- **“for conservation purposes....” [Consolidated Farm and Rural Development Act; 7 U.S.C. 2002]**



## ***Administration***

### **Facilities**

Upon the approval of our EA and our completion of the NEPA planning process, the St. Lawrence Wetland and Grassland Management District will function as a field station of the U.S. Fish and Wildlife Service and an official unit of the



*Facilities projects like this bridge improve access to the Richville headquarters office, USFWS*

National Wildlife Refuge System. Our office in Richville, New York, will continue to serve as district headquarters, from which we will administer both the existing and expanded private lands program and other Service activities throughout the district. From there, we will also communicate and coordinate with town supervisors, community leaders and private landowners throughout Jefferson County our land acquisition and the management of WPAs and easements. We will continue to store our fleet of vehicles, trailers, farm tractors and implements, and heavy equipment there for use in conservation projects on private lands, future easements and WPAs. We are not proposing any new headquarters facilities at this time. The scope of the EA that accompanies this CMP covers future public use on the properties transferred from the FmHA and conforms to our plans for managing future WPAs in the district.

On future WPA acquisitions, we will try to avoid purchasing buildings, structures and other improvements. If the acquisition of buildings and structures is unavoidable when we acquire a parcel, we will evaluate them for potential use, transfer, or demolition. As we acquire WPAs, district staff will evaluate past land use and existing amenities such as pedestrian trails, road

access, etc., to determine future needs for accommodating planned public use. We would construct small, gravel parking areas designed to accommodate five to ten cars each and provide access for hunting, fishing and other appropriate uses. We may construct small, informational kiosks as well, to provide general, directional, or educational information for visitors. The construction of any proposed improvement would depend on the availability of funds and the acquisition of enough land for it.

### **Funding**

The staff of the St. Lawrence district would maintain its WPAs by posting boundaries, constructing nature trails, parking lots, access trails, water control structures and fences as necessary. We would maintain a current inventory of management needs in the Service Maintenance Management System and Refuge Operating Needs System databases, and update their costs and priorities annually. Those databases provide a mechanism for each unit of the refuge system to identify its essential staffing, mission-critical projects and major needs and form a realistic assessment of the funding needed to meet each station's goals, objectives and strategies. Staff will also develop newly acquired WPAs as soon as possible after we purchase the land by identifying those needs, securing funding, and carrying out habitat improvement and public use projects.

### **Staffing**

The proposed staffing strategy for the district identifies several new positions to be established. A district manager would provide direction and supervision for all WMD activities, and ensure the effective oversight and community outreach for the successful management of WPAs, easements and the private lands program. A wildlife biologist would assist in delivering the full range of wildlife conservation and restoration projects on private land, provide technical assistance, and assist in the restoration and management of new acquisitions. Those positions would supplement the positions of the heavy equipment operator and the seasonal biological technician provided by Ducks Unlimited. A reasonable timetable to achieve those staffing goals is 3 years after approval authority, but that will depend on the availability of funding.

## **Partnerships**

WPAs in the district will be open to the public year-round from dawn to dusk. We may restrict access at times because of the incompatibility of a use, concerns about human safety, or illegal activities and law enforcement investigations. District staff will establish formal, cooperative agreements with local law enforcement departments and the county sheriff and state troopers, to provide protection, enforcement and appropriate law enforcement response. Law enforcement personnel from the Service and the state will also patrol intermittently and monitor hunting and other public use on WPAs. We will also establish fire suppression agreements with local volunteer fire departments to coordinate fire suppression activities on WPAs.

We recognize our inability to solve the problems of habitat fragmentation and shoreline development on our own. Therefore, we will work to increase “effective habitat size” by combining our efforts with those of many partners, such as The Nature Conservancy, Ducks Unlimited, Land Trusts, New York Audubon, and the NYDEC, as well as other programs such as the Conservation Reserve Program. District staff will also look for opportunities to work with farmers on using agricultural practices such as haying, seeding grassland, and planting food plots to manage the land on easements and WPAs in ways that benefit the goals and interests of both conservation and agriculture.

Our entire approach to conservation in the St. Lawrence WMD will involve working with partners in restoring and managing small parcels of land scattered across a large landscape. Developing specific partnerships and acquiring land near other protected areas will only enhance the effectiveness of that approach.



## ***Management of the St. Lawrence WMD***

### **Goals**

We developed the goals for the St. Lawrence WMD and our Small Wetlands Acquisition Program for waterfowl protection areas and easements in



*Canvasback duck, USFWS*

accordance with the mission statement of the National Wildlife Refuge System, the National Wildlife Refuge System Improvement Act of 1997, the primary purposes of the district, and other Service policies and directives.

The goals that follow are intentionally broad statements to describe desired future conditions and guide our management of the district and the development of objectives and strategies for the period between our acquisition of WPAs and easements and our development of the comprehensive conservation plan for the district. During that interim period, building community support and conducting habitat assessment and biological monitoring will be crucial in ensuring good neighbor relations and science-based decisions for the effective, successful management of the district.

- Protect, maintain, restore and enhance the quality and quantity of wetland and grassland resources of the St. Lawrence Valley to support diverse plants, animals and federal trust resources, particularly breeding and migrating waterfowl and other grassland-nesting migratory birds.

- **Maintain the integrity of the unique ecological communities and rich natural resources of the St. Lawrence Valley by working cooperatively with private landowners, stakeholders and local communities in an ecologically sound, economically feasible and socially acceptable way.**
- **Provide opportunities for priority, high-quality wildlife-dependent public use where appropriate and compatible with wildlife and habitat goals, and purposes for establishment.**

### **Wildlife and Habitat Management**

**Our proposal to permanently protect 8,000 acres of important habitats in Jefferson County, New York, and administer expanded partnerships through the private lands program [Partners for Fish and Wildlife (PFW)] is based on the biological fact that the area supports dense populations of breeding waterfowl and grassland-nesting bird species. Consequently, our management of those areas will emphasize waterfowl production and increased breeding of other grassland-nesting birds.**

**Two species that serve as “indicator species” for habitats in the district are the mallard for waterfowl and the Henslow’s sparrow for Neotropical grassland-nesting migrants. By no means are those the only species of management concern, but their presence or absence indicates habitat suitability for a suite of bird and wildlife species that rely on the quality, interspersed, and abundance of wetlands and grasslands on the ecological landscape.**

### ***Waterfowl***

**We will focus on acquiring and managing wetland complexes with varied wetland types near large blocks of grassland habitat. Wetland diversity and the availability of dense nesting cover satisfy the breeding requirements of mallards and most other waterfowl. Wetland complexes and wetland diversity are important because wetlands change continuously, so a single wetland or one type of wetland cannot be maximally productive all the time.**

Waterfowl use specific types of wetlands at different times during the breeding season. For example, laying hens often forage in ephemeral, temporary and seasonal wetlands early in the season, and shift to semi-permanent and permanent wetlands after the brood hatches. Based on waterfowl breeding surveys, the density of breeding mallard pairs in the valley is 2.8/km, the highest in the entire Atlantic Flyway (Northern Ecological Associates, Inc., 1994). Dense breeding populations reflect the diversity and abundance of wetlands throughout the focus area of Jefferson County and the St. Lawrence district. Other important waterfowl species that breed in the St. Lawrence Valley include the blue-winged teal, wood duck, American black duck, Canada goose and hooded merganser.

The populations of certain species of waterfowl, such as Canada geese, have increased significantly in recent years. WPAs can contain large wetlands that the geese favor. Consequently, Canada geese can create a new set of management problems by foraging and causing crop loss on private land adjacent to WPAs. If that occurs, district staff will work to reduce crop loss by developing cooperative agreements with New York State Department of Environmental Conservation (DEC) and other agencies to define agency responsibilities, provide alternative feeding areas and seek other long-term solutions. We will promote the use of coordinated, standardized, cost-effective methods for gathering and analyzing data on habitats and populations.

Another major factor that can limit waterfowl production is low nesting success due to the destruction of nests by predators on small units of habitat. Predators are quick to find those remnant areas and concentrate their hunting activities on the vulnerable ground nests of waterfowl. In some habitats, such predators as red fox, raccoon, mink and skunk are able to destroy and predate virtually every duck nest and many of the attendant hens. Only in landscapes with many close, large patches of nesting cover are waterfowl populations self-sustaining or increasing in most years.

To counter the impact of predators and small patch size, district staff will attempt to provide and manage large blocks (>200 acres) of dense nesting cover, and employ fur-bearer management and predator control tactics when

necessary to maintain waterfowl productivity. It is unrealistic to expect waterfowl productivity at or near sustainable levels in small patches (<200 acres), unless they are enmeshed in a landscape dominated by other, large patches of grassland. For example, the average block size of WPAs in Minnesota is only 200 acres. In part, the nature of the Small Wetlands Acquisition Program (SWAP) dictates the small size of most acquisitions. The SWAP approach is simple, and we will use it as an acquisition strategy in the St. Lawrence district to purchase the minimum number of acres in fee title and surround them with permanent conservation easements.

### ***Wetlands***

The abundance of riverine and wetland habitats in the valley is directly responsible for the dense populations of waterfowl; however, the area has also suffered from extensive drainage and wetland degradation. Consequently, wetland restoration and management will be high priorities. In some cases, we will have to restore the hydrology of a wetland by various methods, including plugging drains and filling ditches. Additional wetland restoration techniques will employ the installation of water control structures and the construction of earthen berms or dikes to control water levels and manage vegetation. Wetland restoration will continue as the centerpiece of the

**Private Lands Program (Partners for Wildlife):** one we will use as a practical tool or preliminary step in restoring habitats before acquiring them from willing sellers.



*Wetland and grassland restoration before and after, USFWS*



*Nesting bobolink, USFWS*



*Upland sandpiper, USFWS*

### ***Grassland Birds***

We will also emphasize the management and conservation of grassland birds in the district. In North America, grassland birds have exhibited steeper population declines than any other avian group; yet, in the St. Lawrence Valley, breeding success remains high. Clearly, the abundance of agricultural grasslands and meadows are responsible for the presence and abundance of grassland birds in the valley. Important habitat in the district includes native grasslands, alvars, sedge meadows, old fields, limestone outcroppings and hayfields (if not mowed before July 15). Consequently, most grassland easements will involve provisions that restrict haying and other uses until after July 15, when most grassland birds have finished nesting.

Grassland birds also show a variety of preferences for habitat based on vegetative height, cover density, grass::forb ratio, and plant species composition. Therefore, we will maintain a mosaic of grassland habitats on easements and WPAs in the district to meet the varying needs of grassland birds. In addition, some grassland-nesting birds are area-sensitive: they require large, contiguous blocks of habitat to reproduce successfully. Area-sensitive species of special concern in the St. Lawrence district include the bobolink, northern harrier, upland sandpiper, Henslowe's sparrow, and savannah sparrow. For area-sensitive birds, small patch size falls below the minimal threshold size for occupancy. Therefore, we will tend to protect grasslands in large blocks (>200 acres) near other grassland habitat to increase patch size and effectively offset the affects of habitat fragmentation.



*Bald eagle, UFSWS*

### ***Federal Trust Species***

Federal trust species are generally those afforded national protection by international treaties or such laws as the Migratory Bird Treaty Act or the Endangered Species Act. The district will certainly provide protection for federal trust species. The well-being of waterfowl populations is a classic federal trust responsibility and the main purpose for creating the Small Wetland Acquisition Program in the 1960s.

That does not mean that such resident species as the white-tailed deer will lack management attention on WPAs. Rather, we know that this degree of management focus on trust resources like waterfowl also benefits myriad resident mammals, fish or other wildlife that share the ecological landscape.

### ***Plants and Vegetation***

We will seek long-term solutions to the problem of invasive species and increase the emphasis on biological control to minimize damage to aquatic and terrestrial communities. Much of our strategy will involve working with other partners and organizations that are already active in controlling and eradicating such invasive species as purple loosestrife in wetlands and swallow-wart in grasslands in Jefferson County.

We will also seek to re-establish native plant communities, restore grassland habitat, and maintain fields in the early successional stage by seeding a diverse mixture of both cool season and warm season grasses and forbs, setting back natural plant succession, and controlling brush. Other viable techniques for managing grassland include applications of herbicides and the use of prescribed fire, grazing, mowing and haying.

### **Acquisition Management**

District managers on WMDs in the major waterfowl breeding habitats of the United States are charged with the responsibility for identifying tracts of land that meet the goals of the SWAP for inclusion in the NWRS. Of all the responsibilities of district managers, identifying lands for inclusion in the NWRS has the longest lasting implications and is by far the most important.

The main goal of the SWAP is to purchase a complex of wetlands and uplands that provides habitat in which waterfowl can successfully reproduce. The basic concept is to purchase key brood marshes and wetlands that include adequate nesting cover on adjacent uplands in fee title, while protecting under easement the surrounding temporary and seasonal wetland basins as breeding pair habitat. It is important that lands purchased under the SWAP are the preeminent waterfowl production habitats in a wetland management district. Consequently, the district manager is responsible for the biological determination of the type and amount (within the approved framework) of wetland and grassland acres acquired.

We will delineate the wetlands and grasslands by following the criteria set forth in the Final Strategic Growth Policy (now in development) for the SWAP and Service guidelines for purchases of land in fee title and easements. The delineation of lands for purchase as WPAs is as much an art as a science.

It requires matching the opportunity to purchase and manage in a socially acceptable, cost-effective, efficient manner a tract of land with the biological needs of breeding waterfowl.



*Haying in St. Lawrence Valley, USFWS*

We estimate the ratio of the wetland habitat to grassland habitat we will acquire at 25:75, based on the availability of habitat

and the requirements of important species of waterfowl and grassland birds in the district. The SWAP will focus on satisfying the habitat requirements for priority species of management concern and providing critical mission elements such as wetland complexes, surrounding grasslands and a predator component. We will also prioritize acquisitions based on land cover, landscape characteristics, and established delineation criteria (size, location, ratio of

wetland to upland, soil composition, etc.) for all fee title and easement acquisitions. We will assign priority to tracks and parcels that benefit waterfowl production and grassland-nesting birds, but will also consider other wildlife benefits.

We will comply with the acreage restrictions (8,000 acres) and the approximate percentage of easements (80 percent) and fee title (20 percent) described in the environmental assessment and approved in the NEPA process. Identifying and connecting with willing sellers within the focus area is an important step, but is only one of many steps necessary to complete the acquisition process. The land must also be eligible and qualify according to the SWAP guidelines as highly suitable and desirable land for waterfowl production and other wildlife priorities. Minimally restrictive wetland and grassland conservation easements remain in private ownership and, therefore, do not result in the land being removed from the tax rolls. When land is purchased in fee title (as a WPA), it becomes the property of the United States Government, and is exempt from taxation. Consequently, for all potential fee title acquisitions, the district manager will work with town supervisors, local town boards and communities where the Service and a willing seller are interested in fee title acquisition to obtain approval from the respective town board before concluding any real estate transactions. The Service will not acquire fee title land without local town board approval.

Congress passed the Refuge Revenue Sharing Act, amended in 1964 and 1978, to provide a mechanism for the Service to offset the loss in tax revenues by making annual payments to local governments for fee-title land designated as WPAs or national wildlife refuges. Depending upon the location, the amount of payment often equals or exceeds the value in taxes the town would have collected if the property were in private ownership. The Service pays three-quarters of 1 percent of the appraised value of the land, subject to the availability of funds through congressional appropriations, to the unit of local government that levies and collects general purpose and real property taxes. We now send annual payments to the towns in which the Service owns land in fee title: Dekalb and Morristown.

Federal law requires us to offer fair market value for land. We base our offers on professionally prepared appraisals reviewed and approved by an experienced review appraiser. That ensures that the price we offer reflects the actual sale prices of comparable properties in the vicinity. Our Director's Order No. 164 authorizes us to use administratively determined payments to acquire minimally restrictive wetland and grassland easements in support of areas designated as WPAs. Both the district manager and a realty specialist from our regional office in Hadley, Massachusetts, would contact private landowners who inform us of their interest in selling easements or land in fee title to the Service.

### **Public Use Management**

The NWRS Improvement Act of 1997 establishes six priority public uses on refuges. Those priority uses all depend on the presence, or the expectation of the presence of wildlife; thus, we call them wildlife-dependent uses: hunting, fishing, wildlife observation and photography, and environmental education and interpretation. Previously established WPAs have been open to those uses for decades. Although those priority uses must receive our enhanced consideration in planning public use, they also must be compatible with the purpose for which the unit (WPA or refuge) was established and the mission of the NWRS. Compatibility determinations aid in making those decisions (see appendix 1).

Although WPAs are part of the System, they differ from national wildlife refuges in that they are open to hunting, fishing, and trapping by specific regulation (Code of Federal Regulations,



*WPAs offer opportunities for hunters and birders alike! USFWS*

Volume 50), and are open to the other wildlife-dependent activities by notification in the general brochure or notice available at each district headquarters. Thus, new or old WPAs are “open until closed,” as opposed to refuges, which are “closed until opened”.

### ***Hunting and Fishing***

Hunters and hunting have a long history linked to WPAs. When Congress amended the “Duck Stamp Act” in 1958, it also authorized the acquisition of wetlands and uplands as WPAs and waived the usual “inviolate sanctuary” provisions. Thus, it intended WPAs to be open for waterfowl hunting, in part because waterfowl hunters, through the purchase of Duck Stamps and support for price increases of the stamp, played a major role in our acquisition of those areas. Hunting for both waterfowl and resident game species accounts for more than half of all visits to WPAs in the prairie pothole states.

The WPAs we establish in the St. Lawrence district in the future will be open for hunting (waterfowl, big game and upland game), fishing and trapping, in accordance with New York State regulations set forth by the NYS DEC. The only exception would be the need to close specific areas for safety purposes or other special considerations. To facilitate the proper management of these public uses, district staff will develop hunting, fishing and trapping plans for each WPA in the district. We will establish and maintain parking areas and pedestrian trails to fishing spots as staffing and funding allows.

### ***Wildlife Observation and Photography***

We will encourage the public to visit the WPAs and enjoy their wildlife, restored and managed landscapes and scenic beauty. We will consider trail improvements, photo blinds, informational kiosks, and observation platforms proposed on all future WPAs to facilitate wildlife observation and photography. Depending on the availability of staff and funding, we may develop watchable wildlife pamphlets.

### ***Environmental Education and Interpretation***

We do not plan to develop educational programs for use in a formal school curriculum or regularly scheduled guided interpretive walks. Depending on

the availability of staff, funding, and volunteer involvement, we may develop self-guided interpretive signs and environmental education programs. District staff or volunteers may provide occasional guided tours (e.g., bird walks, cultural resources, canoe expeditions, nature interpretation) for special events or in special situations.

### ***Other Uses***

WMDs often receive requests for various non-wildlife-dependent uses. In addition, various economic uses, such as haying, grazing, and timber harvesting for habitat management, involve the issuance of special use permits. A number of other uses that confront managers and require their decisions include requests for rights-of-way, new or expanded roads, utilities, pipelines, wind power generators, or communication equipment. Service policies and standard operating procedures will guide future requests for non-wildlife-dependent uses on WPAs in the district.

### **Operations and Planning**

At the heart of the management of WPAs are their individual operational plans. As WPAs are acquired, such operational plans as wildlife inventory plans, habitat management plans, and engineering plans will be prepared that will inventory existing resources and describe detailed plans for wetland and grassland restoration, structure and debris removal, and the planned development of facilities such as parking, fencing, and wildlife observation sites. We will write those plans to guide management actions in a logical, well thought out manner. Those plans will provide district staff an excellent opportunity to communicate policies to local farmers, the visiting public, WPA neighbors, town supervisors and boards, Jefferson County legislators, the NYS DEC, and other interested parties and organizations.

A summary of generally prohibited and permitted uses and activities on WPAs follows. Because no acquisition has yet occurred, speculating on which non-wildlife-dependent uses we will allow or prohibit on each WPA in Jefferson County is difficult. However, we will apply the same national policies and regulations that govern the management and use of existing WPAs in the prairie pothole states to the St. Lawrence district, and will follow the same

operating guidelines for compatibility determinations in deciding and administering the uses.

***Public Uses Generally Prohibited***

- Off-road vehicle use, including snowmobiles and ATVs
- Camping
- Open fires
- Discharge of firearms except during state hunting seasons
- Use of motorized water craft
- Dog trials
- Horseback riding
- Commercial bait collecting
- Beekeeping

***Public Uses Permitted (Compatibility Determinations Required)***

***(Appendix 1.)***

- Hunting in accordance with state seasons and regulations
- Wildlife observation
- Photography
- Fishing in accordance with state seasons and regulations
- Environmental education
- Interpretation for individuals or groups
- Trapping in accordance with state seasons and regulations
- Berry and nut collecting for personal use
- Limited plant and seed collection for decorative purposes

***Generally Permitted Management Activities Done by Others, and  
Miscellaneous Activities and Programs (Compatibility Determinations  
Required) (Appendix 1)***

- Haying for grassland management
- Farming for grassland management
- Grazing for grassland management
- Timber or firewood harvesting
- Food plots and feeders for resident wildlife
- Wildlife nesting structures
- Archaeological surveys
- Special access for disabled users
- Irrigation travel ways across easement wetlands
- Temporary road improvements outside of existing right-of-way
- Special dedications and ceremonies
- Wetland access facilities
- WPA parking facilities
- Local fire department training – prescribed burning
- Local fire department training – burn surplus buildings on new acquisitions

***Other Recurring Uses Handled on a Case-by-Case Basis***

- New or expanded rights-of-way requests
- Major new facilities associated with public uses
- Commercial filming
- Special events
- Animal collecting requests
- Other requests for uses not listed above



### ***Compatibility Determinations***

- **Collection of Edible Wild Plant Foods for Personal Use / page 2**
- **Cropland Management / page 5**
- **Interpretation and Environmental Education / page 9**
- **Recreational Fishing / page 13**
- **Haying on WPAs and Easements / page 17**
- **Hunting / page 23**
- **Wildlife Observation and Photography / page 27**
- **Furbearer Management / page 31**

## **COMPATIBILITY DETERMINATION**

**Use: Collection of Edible Wild Plant Foods for Personal Use**

**Station Name: St. Lawrence Wetland and Grassland Management District**

**Establishing and Acquisition Authority(ies):**

**Waterfowl Production Areas - The Migratory Bird Hunting and Conservation Stamp Act, March 16, 1934, (16 U.S.C. Sec. 718-718h, 48 Stat. 452) as amended August 1, 1958, (P.L. 85-585; 72 Stat. 486) for acquisition of “Waterfowl Production Areas”; the Wetlands Loan Act, October 4, 1961, as amended (16 U.S.C. 715k-3 - 715k-5, Stat. 813), funds appropriated under the Wetlands Loan Act are merged with duck stamp receipts in the fund and appropriated to the Secretary for the acquisition of migratory bird refuges under provisions of the Migratory Bird Conservation Act, February 18, 1929, (16 U.S.C. Sec. 715, 715d - 715r, as amended.**

**FmHA fee title transfer properties - Consolidated Farm and Rural Development Act 7 U.S.C. 2002.**

**Refuge Purpose(s):**

**Waterfowl Production Areas - “...as Waterfowl Production Areas” subject to “...all of the provisions of such Act [Migratory Bird Conservation Act]....except the inviolate sanctuary provisions...” and “...for any other management purpose, for migratory birds”.**

**FmHA fee title transfer properties - “for conservation purposes...”**

**National Wildlife Refuge System Mission:**

**“...To administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”**

**Description of Use:**

**(a) What is the use? Is the use a priority public use?**

**The use would allow public to collect plant food products on WPAs for personal use and is not a priority public use of the National Wildlife Refuge System under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).**

**(b) Where would the use be conducted?**

**Access to harvest sites is accomplished by walking from a designated parking area or public roadway. Some plants growing on WPAs produce edible products such as fruits and nuts. Apples and raspberries are examples of these products. These plants grow in the uplands, occupy a small percentage of the total upland acreage, and are often found at abandoned building sites which have been reclaimed by the U.S. Fish and Wildlife Service.**

**(c) When would the use be conducted?**

Harvest occurs during the daylight hours, usually in the late summer or fall and typically is of short duration.

**(d) How would the use be conducted?**

These foods are hand harvested by picking the products from the plant or gathering what has fallen to the ground. Mushrooms, asparagus and wild mint are examples of plants that are collected and consumed or used as tea. These are cut by hand during harvest.

**(e) Why is this use being proposed?**

Collection of these foods is not a wildlife-dependent recreational use and occurs infrequently. However, for a small number of people, this is a traditional, family oriented activity which provides an opportunity for those participating to collect wholesome, healthy foods while enjoying the beauty of the natural environment.

**Availability of Resources:**

Waterfowl Production Areas will be open to collection of edible wild plant foods for personal use, as well as other compatible uses, upon acquisition. As a result, access trails, parking lots, signage and other facilities as well as staff to enforce regulations and maintain these facilities will be provided by the Service. These facilities will be maintained to meet the needs of the hunting public and will be used incidentally by those who are collecting edible wild plant foods. This use will not require a significant increase in additional maintenance or enforcement staff expenditures. The Service will not have to provide special equipment.

**Anticipated Impacts of the Use:**

Historically, public participation in the collection of plant food products on WPAs is low, and future participation is also expected to be low. The quantity and frequency of plant food products removed is not expected to significantly diminish wildlife food sources or jeopardize wildlife survival.

Short-term disturbance to wildlife may occur during these activities, but will be insignificant. Most of these activities occur in the late summer or fall, after ground-nesting birds have completed the nesting season. This activity should not result in short or long-term impacts that adversely affect the purpose of WPAs or the mission of the National Wildlife System.

**Public Review and Comment:**

This Compatibility Determination was prepared concurrently with, and included in the Draft Environmental Assessment for Waterfowl Production Areas in Jefferson County, New York. Public meetings will be held and written comments will be solicited from the public about Wetland and Grassland Management District operations with the release of the Draft Environmental Assessment as part of the NEPA process.

**Determination (check one below):**

## Use is Not Compatible

### X Use is Compatible With Following Stipulations

### Stipulations Necessary to Ensure Compatibility:

- 1. The use of motorized vehicles is prohibited except by permit or in designated parking areas, access trails or public roads.**
- 2. Camping, overnight use and fires are prohibited.**
- 3. Digging of plants or their roots is prohibited.**
- 4. Plant food products cannot be sold.**
- 5. Damage to trees is prohibited.**

**Justification:**

**This use will have limited and localized impacts when conducted within the stipulations above. Administration of the use will require little to no administrative time or funding. This use will not diminish the primary purposes of waterfowl production, or the conservation of other migratory birds and wildlife. In view of the above, collection of edible plants, with the stipulations previously described, will not materially interfere with or detract from the purposes of the Refuge and the mission of the Refuge System.**

Signature: Refuge Manager \_\_\_\_\_  
(Signature and Date)

Concurrence: Regional Chief \_\_\_\_\_  
(Signature and Date)

Mandatory 10-year Re-Evaluation Date: 2016

## **COMPATIBILITY DETERMINATION**

**Use: Cropland Management**

**Refuge Name: St. Lawrence Wetland and Grassland Management District**

**Establishing and Acquisition Authority(ies):**

**Waterfowl Production Areas - The Migratory Bird Hunting and Conservation Stamp Act, March 16, 1934, (16 U.S.C. Sec. 718-718h, 48 Stat. 452) as amended August 1, 1958, (P.L. 85-585; 72 Stat. 486) for acquisition of “Waterfowl Production Areas”; the Wetlands Loan Act, October 4, 1961, as amended (16 U.S.C. 715k-3 - 715k-5, Stat. 813), funds appropriated under the Wetlands Loan Act are merged with duck stamp receipts in the fund and appropriated to the Secretary for the acquisition of migratory bird refuges under provisions of the Migratory Bird Conservation Act, February 18, 1929, (16 U.S.C. Sec. 715, 715d - 715r, as amended.**

**FmHA fee title transfer properties - Consolidated Farm and Rural Development Act 7 U.S.C. 2002.**

**Refuge Purpose(s):**

**Waterfowl Production Areas - “...as Waterfowl Production Areas” subject to “...all of the provisions of such Act [Migratory Bird Conservation Act]....except the inviolate sanctuary provisions...” and “...for any other management purpose, for migratory birds.”**

**FmHA fee title transfer properties - “for conservation purposes...”**

**National Wildlife Refuge System Mission:**

**“...To administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”**

**Description of Use:**

**(a) What is the use? Is the use a priority public use?**

**The use, cropland management, involves cooperative farming—cropping activities done by a third party on land that is owned by the Service in fee title or controlled by the Service through a restrictive easement. It is not a priority public use of the National Wildlife Refuge System under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57). Cooperative farming in the St. Lawrence WMD will involve primarily haying activities.**

**(b) Where would the use be conducted?**

**Cooperative farming activities are only compatible on previously disturbed areas that have unacceptable levels of chemical residue, noxious weeds, or non-native plant species or ecotypes, or to honor the land use clauses of a purchase agreement. To**

ensure that all Service policies are met, all such land use clauses must be approved by the Wetland District Manager prior to Service acceptance of the purchase agreement.

Waterfowl Production Areas in Jefferson County, New York would average less than 200 acres in size and occur intermingled with private and other public lands.

Although the specific acreage of fields to be cooperatively farmed will vary by unit, they will typically range from 5 to 160 acres.

**(c) When would the use be conducted?**

This type of activity is usually done on a short-term basis (3 years or less) to prepare an optimum seed bed for the establishment of native grassland species.

**(d) How would the use be conducted?**

The cropping is done under the terms and conditions of a Cooperative Farming Agreement or Special Use Permit issued by the Wetland District Manager. The terms of the Agreement or Permit insure that all current Service and District restrictions are followed.

**(e) Why is this use being proposed?**

Cropland management is used to prepare suitable seed beds for native grassland or wetland plantings. In the interim, cropland can offer useful habitat to grassland nesting birds and other wildlife by providing a food and cover source.

**Availability of Resources:**

The needed staff time for development and administration of cooperative farming programs is already committed and available. Most of the needed work to prepare for this use would be done as part of routine grassland management duties. The decision to use a cooperative farmer would occur as part of strategies developed under grassland development and management discussions. The additional time needed to coordinate issuance and oversight of the needed Special Use Permit or Cooperative Farming Agreement is relatively minor and within existing District resources.

The cooperative farming of Service land will in most cases generate income for the Service. In accordance with Service policy, all income is submitted for deposit in the Refuge Revenue Sharing Account and is not available at the district level to offset station costs incurred in administration of this use. However, all Service employees involved in the administration of the program must be sensitive to the primary purpose of cooperative farming: providing an optimum seed bed for native grassland plant species. The Service should receive a fair market value from cooperative farmers, but generation of income is a secondary consideration when developing the terms and conditions of a cooperative farming agreement. To lessen any appearance of favoritism or impropriety, District Managers should document how cooperators were selected and how rental rates were derived (see Refuge Manual).

**Anticipated Impacts of the Use:**

Cropland management will result in short-term disturbances and long-term benefits to both resident and migratory wildlife using Waterfowl Production Areas and Service-managed upland easements. Short-term impacts will include disturbance

and displacement typical of any noisy heavy equipment operation. Cropping activities in old fields or abandoned croplands will also result in short-term loss of habitat for any animal or insect species using those areas for nesting, feeding, or perching. Long-term benefits are extremely positive due to establishment of diverse nesting cover including native vegetation. The resulting habitat will greatly improve conditions for most of the same species affected by the short-term negative impacts. Strict time constraints placed on this use will limit anticipated impacts to these relatively minor areas.

**Public Review and Comment:**

This Compatibility Determination was prepared concurrently with, and included in the Draft Environmental Assessment for Waterfowl Production Areas in Jefferson County, New York. Public meetings will be held and written comments will be solicited from the public about Wetland and Grassland Management District operations with the release of the Draft Environmental Assessment as part of the NEPA process.

**Determination:**

☐ Use is Not Compatible

☒ Use is Compatible With Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

1. Cooperative farming agreements will be limited to 3 years or less and comply with all appropriate Service regulations on chemical application and use.

**Justification:**

The cooperative farming of previously disturbed areas that are owned or under easement by the Service and have unacceptable levels of chemical residue, noxious weeds, or non-native plant species or ecotypes, or are being farmed to honor the land use clauses of a purchase agreement to prepare an optimum seed bed for the establishment of native grassland species, will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of Waterfowl Production Areas or FmHA transfer lands, and further, contribute to the NWRS mission for the following reasons:

- Only areas that have already been significantly manipulated or altered by cropping activities will be affected. These areas contain few if any native plants and offer extremely limited value to the ecological integrity of the unit or landscape.
- Cooperative farming activities, in most cases, provide the fastest, most cost effective way to establish native grassland species on areas that have unacceptable levels of chemical residue, noxious weeds, or non-native plant species or ecotypes. District staff could complete all work, but for most districts that would require additional equipment and/or staff to efficiently break up non-native brome sod, or to cultivate and control weeds on small,

widely scattered tracts of land. Hiring contractors to do this work at rates that can approach \$100/acre is a possibility, but would require additional funds in years when the farming acres were high. By using local farmers to conduct these farming activities, district budgets and staff time can be better allocated to completing the needed restoration (seeding of native grasses and forbs) on lands that have completed the farming cycle and are in good condition for seeding.

- Short-term impacts of farming small tracts of land are minor. No wildlife or habitat losses occur when land purchased in row crop is farmed for an additional period of 2-3 years. Low quality grasslands that are farmed as a first step to conversion to higher-value native grasslands will result in habitat loss for trust resources during the farming period. The long-term benefits to the ecological integrity of the district and landscape by restoring these degraded or row cropped areas to native grassland plant species are significant and exceed the short-term losses incurred through the cropping process.

Signature:    Refuge Manager \_\_\_\_\_  
(Signature and Date)

Concurrence: Regional Chief \_\_\_\_\_  
(Signature and Date)

Mandatory 10-year Re-Evaluation Date:   2016

## **COMPATIBILITY DETERMINATION**

**Use: Interpretation and Environmental Education**

**Station Name: St. Lawrence Wetland and Grassland Management District**

**Establishing and Acquisition Authority(ies):**

**Waterfowl Production Areas - The Migratory Bird Hunting and Conservation Stamp Act, March 16, 1934, (16 U.S.C. Sec. 718-718h, 48 Stat. 452) as amended August 1, 1958, (P.L. 85-585; 72 Stat. 486) for acquisition of “Waterfowl Production Areas”; the Wetlands Loan Act, October 4, 1961, as amended (16 U.S.C. 715k-3 - 715k-5, Stat. 813), funds appropriated under the Wetlands Loan Act are merged with duck stamp receipts in the fund and appropriated to the Secretary for the acquisition of migratory bird refuges under provisions of the Migratory Bird Conservation Act, February 18, 1929, (16 U.S.C. Sec. 715, 715d - 715r, as amended.**

**FmHA fee title transfer properties - Consolidated Farm and Rural Development Act 7 U.S.C. § 2002.**

**Refuge Purpose(s):**

**Waterfowl Production Areas - “...as Waterfowl Production Areas” subject to “...all of the provisions of such Act [Migratory Bird Conservation Act]...except the inviolate sanctuary provisions....” and “...for any other management purpose, for migratory birds”**

**FmHA fee title transfer properties - “...for conservation purposes....”**

**National Wildlife Refuge System Mission:**

**“...To administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”**

**Description of Use:**

**(a) What is the use? Is the use a priority public use?**

**The use is to allow wildlife interpretation and environmental education programs to be conducted on Waterfowl Production Areas. Interpretation and environmental education are priority public uses of the National Wildlife Refuge System under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).**

**(b) Where would the use be conducted?**

**Interpretation and environmental education will be conducted on improved grounds, nature trails, and District building facilities. Programs may also be held off District properties when presented to school or special interest groups.**

**(c) When would the use be conducted?**

Programs would be conducted year-round upon request, as staff time and funding allow.

**(d) How would the use be conducted?**

Formal programs include activities prepared, scheduled, and organized for school-aged children and organized groups by U.S. Fish and Wildlife Service staff or, more likely, volunteers. In most cases, curriculums and program schedules are prepared in advance. These curriculums address a number of wildlife conservation issues including wetland and grassland conservation, migratory bird management, and the conservation of endangered species. Informal programs include nature trails, impromptu presentations and discussions of wildlife conservation issues with interested citizens, casual visitors, and unscheduled groups. The visitation and use of a Waterfowl Production Area by local educators and their classes or special interest groups on their own for the purposes of furthering their understanding of natural resource management issues would also classify as an informal program and would most likely be the sort of programs happening in the St. Lawrence WPAs.

In addition, this use includes the development of indoor interpretive areas within Wetland Management District offices, as well as traveling displays.

**(e) Why is this use being proposed?**

Interpretation and environmental education are priority public uses of the National Wildlife Refuge System. These activities help people understand and appreciate the work and mission of the System, further Service recognition, and garner support for the Service, National Wildlife Refuge System, and conservation in general.

**Availability of Resources:**

Minimal staff and funding are available for interpretation and environmental education programming on Waterfowl Production Areas. Currently, staffing levels and funding are not adequate to fully capitalize on the opportunities to interpret wildlife conservation issues within these rural communities.

**Anticipated Impacts of the Use:**

The overall impacts to Waterfowl Production Areas and their associated wildlife populations from this use will be minimal. There will be some disturbance to waterfowl and other wildlife, but at levels that will not likely interfere with waterfowl production. School buses and personal vehicles will utilize parking areas and access trails already constructed for use by waterfowl hunters and Service employees conducting habitat management activities. The limited number of nature trails that may be developed will minimize disturbance to vegetation and wildlife use of these areas.

**Public Review and Comment:**

This Compatibility Determination was prepared concurrently with, and included in the Draft Environmental Assessment for Waterfowl Production Areas in Jefferson County, New York. Public meetings will be held and written comments will be solicited from the public about Wetland and Grassland Management District

operations with the release of the Draft Environmental Assessment as part of the NEPA process.

**Determination:**

☐ Use is Not Compatible

☒ Use is Compatible With Following Stipulation

**Stipulations Necessary to Ensure Compatibility:**

1. Use of motorized vehicles is prohibited except by permit or in designated parking areas, access trails, or public roads/tour routes.
2. Managers will monitor use patterns and densities and make adjustments in timing, location and duration as needed to limit disturbance.

**Justification:**

This use has been determined compatible provided the above stipulations are implemented. This use is being permitted as a priority public use of the NWRS and will not diminish the primary purposes of waterfowl production or conservation of migratory birds and other wildlife. This use will meet the mission of the NWRS by furthering understanding and knowledge of this Nation's migratory bird conservation needs by the general public. Allowing interpretation and environmental education will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of Waterfowl Production Areas or FmHA transfer lands.

Signature:    Refuge Manager \_\_\_\_\_  
(Signature and Date)

Concurrence: Regional Chief \_\_\_\_\_  
(Signature and Date)

Mandatory 10-year Re-Evaluation Date: 2021



## **COMPATIBILITY DETERMINATION**

**Use: Recreational Fishing**

**Refuge Name: St. Lawrence Wetland and Grassland Management District**

**Establishing and Acquisition Authority(ies):**

**Waterfowl Production Areas - The Migratory Bird Hunting and Conservation Stamp Act, March 16, 1934, (16 U.S.C. Sec. 718-718h, 48 Stat. 452) as amended August 1, 1958, (P.L. 85-585; 72 Stat. 486) for acquisition of “Waterfowl Production Areas”; the Wetlands Loan Act, October 4, 1961, as amended (16 U.S.C. 715k-3 - 715k-5, Stat. 813), funds appropriated under the Wetlands Loan Act are merged with duck stamp receipts in the fund and appropriated to the Secretary for the acquisition of migratory bird refuges under provisions of the Migratory Bird Conservation Act, February 18, 1929, (16 U.S.C. Sec. 715, 715d - 715r, as amended.**

**FmHA fee title transfer properties - Consolidated Farm and Rural Development Act 7 U.S.C. § 2002.**

**Refuge Purpose(s):**

**Waterfowl Production Areas - “....as Waterfowl Production Areas” subject to “....all of the provisions of such Act [Migratory Bird Conservation Act]....except the inviolate sanctuary provisions....” and “...for any other management purpose, for migratory birds”**

**FmHA fee title transfer properties - “for conservation purposes....”**

**National Wildlife Refuge System Mission:**

**“...To administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”**

**Description of Use:**

**(a) What is the use? Is the use a priority public use?**

**The use is to allow recreational fishing on Waterfowl Production Areas (WPAs) in accordance with State regulations and seasons. Fishing is a priority public use of the National Wildlife Refuge System under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).**

**(b) Where would the use be conducted?**

**All WPAs will be open to public fishing, provided that all forms of fishing or entry on all or any part of individual areas may be temporarily suspended by posting upon occasions of unusual or critical conditions of, or affecting land, water, vegetation, or wildlife populations. Acquisition of WPAs is ongoing and as lands are purchased they will be opened to fishing.**

Generally WPAs would have access trails from public roads and, for safety reasons, parking lots of less than 1 acre would be provided where sufficient traffic exists. WPAs average less than 200 acres in size and are intermingled across the landscape with other public and private lands. The few WPAs with viable fisheries would generally be connected to adjacent streams or lakes that are located off Service lands and aquatic species move between these bodies of water. The State of New York manages these species over the larger bodies of water maintaining healthy populations by allowing harvest of surpluses through recreational fishing.

**(c) When would the use be conducted?**

The New York State game fish seasons can be found at:

<http://www.dec.state.ny.us/website/dfwmr/fish/fishregs/fishregsgen.html>

**(d) How would the use be conducted?**

New York recreational fishing regulations allow the traditional taking of game fish species with rod and reel from shore, a boat or through the ice, removal of some species by archery and dip net, as well as the taking of limited quantities of frogs for personal use. Fishing on WPAs will follow New York State regulations, as long as it is compatible with District management activities, to provide consistency of regulations in the geographic area and less confusion about regulations and enforcement.

**(e) Why is this use being proposed?**

Fishing is one of the priority uses outlined by Congress in the Refuge Improvement Act of 1997. The Service supports and encourages priority uses on National Wildlife Refuge lands where appropriate and compatible. Fishing is a traditional form of wildlife-oriented recreation that can be accommodated on many National Wildlife Refuge System lands.

**Availability of Resources:**

WPAs by statute and regulation are open to waterfowl hunting and as a result access trails, parking lots, signage and other facilities as well as staff to enforce regulations and maintain these facilities will be provided by the Service. With the exception of additional enforcement staff time these facilities will be used by the public while engaged in recreational fishing. Given the anticipated light fishing pressure, staff are deemed adequate to administer and enforce laws related to fishing.

**Anticipated Impacts of the Use:**

Fishing activities and harvest of other aquatic species may cause temporary disturbance to waterfowl and other wildlife using WPAs. This disturbance may displace individual animals to other parts of the WPA, however, this disturbance will be limited in scope due to: (1) the small number of WPAs with viable fisheries; (2) prohibition on use of motorized boats; (3) access which is predominately via foot travel; (4) lack of boat launching facilities. Installation and use of parking areas and access trails will result in minimal impacts as these parking areas and trails are used by waterfowl hunters as well as by Service employees conducting refuge management activities.

## Public Review and Comment:

**This Compatibility Determination was prepared concurrently with, and included in the Draft Environmental Assessment for Waterfowl Production Areas in Jefferson County, New York. Public meetings will be held and written comments will be solicited from the public about Wetland and Grassland Management District operations with the release of the Draft Environmental Assessment as part of the NEPA process.**

**Determination (check one below):**

## Use is Not Compatible

**X Use is Compatible With Following Stipulations**

### Stipulations Necessary to Ensure Compatibility:

- 1. Use of motorized vehicles is prohibited except by permit or in designated parking areas, access trails or public roads.**
- 2. Camping, overnight use and fires are prohibited.**
- 3. Littering is prohibited.**
- 4. All applicable State and Federal Regulations will apply.**

**Justification:**

**Fishing at anticipated levels and on small areas of relatively few WPAs will have localized and short-duration impacts and will not materially interfere with the waterfowl production purpose of WPAs. Stipulations will help reduce or eliminate any unwanted impacts of the use. State regulations and monitoring help ensure that harvest levels of fish do not harm long-term populations.**

**Fishing is a priority public use on National Wildlife Refuge System lands. It is consistent with Service policy on fishing, the National Wildlife Refuge system Improvement Act of 1997, and the broad management objectives of the National Wildlife Refuge System. This use is not expected to materially interfere with or detract from the mission of the National Wildlife System nor diminish the purposes for which the refuge was established. It will not cause an undue administrative burden. Annual adjustments can be made in the fishing program to ensure continued compatibility.**

Signature: **Refuge Manager** \_\_\_\_\_  
(Signature and Date)

Concurrence: Regional Chief \_\_\_\_\_  
(Signature and Date)

Mandatory 10-year Re-Evaluation Date: 2021



## **COMPATIBILITY DETERMINATION**

### **Use: Haying on WPAs and Easements**

**Station Name: St. Lawrence Wetland and Grassland Management District**

#### **Establishing and Acquisition Authority(ies):**

**Waterfowl Production Areas - The Migratory Bird Hunting and Conservation Stamp Act, March 16, 1934, (16 U.S.C. Sec. 718-718h, 48 Stat. 452) as amended August 1, 1958, (P.L. 85-585; 72 Stat. 486) for acquisition of “Waterfowl Production Areas”; the Wetlands Loan Act, October 4, 1961, as amended (16 U.S.C. 715k-3 - 715k-5, Stat. 813), funds appropriated under the Wetlands Loan Act are merged with duck stamp receipts in the fund and appropriated to the Secretary for the acquisition of migratory bird refuges under provisions of the Migratory Bird Conservation Act, February 18, 1929, (16 U.S.C. Sec. 715, 715d - 715r, as amended.**

**FmHA fee title transfer properties - Consolidated Farm and Rural Development Act 7 U.S.C. § 2002.**

#### **Refuge Purpose(s):**

**Waterfowl Production Areas - “....as Waterfowl Production Areas” subject to “....all of the provisions of such Act [Migratory Bird Conservation Act]....except the inviolate sanctuary provisions....” and “...for any other management purpose, for migratory birds”**

**FmHA fee title transfer properties - “for conservation purposes....”**

#### **National Wildlife Refuge System Mission:**

**“...To administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”**

#### **Description of Use:**

**(a) What is the use? Is the use a priority public use?**

**The use is to allow haying on WPAs and conservation easements. Haying is the cutting and removal, by baling and transport to an off-refuge location, of grass, either nonnative cool season species such as brome or native warm or cool season species. Haying is not a priority public use of the National Wildlife Refuge System under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).**

**(b) Where would the use be conducted?**

**Haying will be conducted on WPAs and conservation easements that have grassland areas. See section (d) below for more detail.**

**(c) When would the use be conducted?**

Seeding typically takes place in the Spring, while haying is done in the fall. Timing of this use will be at the discretion of the District Manager, depending on the goals and objectives for each grassland area. See section (d) below for more detail.

**(d) How would the use be conducted?**

Haying of this type is typically done by a cooperative farmer acting under authority of a Cooperative Farming Agreement or Special Use Permit issued by the Wetland District Manager.

Haying can be an effective management tool as part of an overall grassland management plan to improve and maintain district grasslands for the benefit of migratory birds. Grasslands need periodic renovation to maintain vigor, diversity, and the structure necessary for migratory bird use. Haying is an effective alternative to burning or grazing. If local site conditions preclude use of prescribed fire due to hazards to neighboring property or a similar problem, removal of accumulated biomass through haying does serve to reduce unwanted overstory, reduce woody plant invasion, etc. Such removal will allow for more vigorous re-growth of desirable species following the haying, although results are neither as dramatic nor positive as with prescribed fire.

Haying may also be used as part of a native grass seeding strategy on newly acquired lands needing restoration. To reduce weed competition and minimize herbicide applications, a cooperative farmer may be used to seed the native grass mix and interseed it with oats. As a requirement of the permit, the cooperator would be required to cut, bale, and remove the oats before maturation. Such silage is useful for dairy operations and serves the biological purpose of releasing the young native grasses for vigorous midsummer growth with minimal competition.

A third possible use of haying on district grasslands involves the initial steps of removing unwanted vegetation prior to seeding the area to native grasses. Haying of a nonnative cool season field is an effective step in advance of spraying the field with Round Up or a similar chemical designed to kill all existing vegetation. Removal of the heavy grass overstory by haying allows the chemical spray to more effectively treat the target plants. Better removal of the unwanted grasses will in turn ensure better success of the planted native grasses whether they are interseeded into the sod or the soil turned over and leveled prior to seeding.

A more limited application for haying on Waterfowl Production Areas involves its use for establishing fire breaks for the prescribed fire program. A cooperative farmer would hay the grassland strips in early fall. That area would then green up earlier in the spring and would have no dead overstory biomass, allowing its use as a fire break. Waterfowl Production Areas in Jefferson County would average less than 200 acres in size and would be intermingled with private and other public lands. Although specific acreages for fields to be hayed will vary by unit, they will typically range from 5 to 40 acres with only rare exceptions exceeding 75 acres. Newly seeded areas with oats as a nurse crop may be larger as new units are frequently seeded in entirety. In that case, haying could possibly cover the entire unit and cover over a

hundred acres. Hay acreages for fire breaks would be very small, estimated at less than 5 acres per WPA per event.

**(e) Why is this use being proposed?**

Haying is an effective tool for grassland management to improve vigor, diversity, and composition/structure of the grassland for the benefit of migratory birds. It is often used as an alternative to prescribed burning when certain conditions in the area preclude a burn. Haying is also an effective tool in seeding grassland area. To reduce weed competition and minimize herbicide applications, a field would be seeded with a native grass mix and interseed it with oats. As a requirement of the permit, the cooperative farmer would be required to cut, bale, and remove the oats before maturation. In addition, haying can be used to remove unwanted plant species prior to seeding with native grass seed.

This use is an effective and efficient means of managing grasslands for migratory birds, grassland nesting birds and other wildlife species. In view of the above, haying on WPAs and easements, with the stipulations previously described, will not materially interfere with or detract from the purposes of the Refuge and the mission of the Refuge System. Overall, well-managed grasslands contribute to the purposes of the Refuge by maintaining vigor and health of critical habitat for migratory birds and other wildlife species.

**Availability of Resources:**

No additional fiscal resources are needed to conduct this use. The needed staff time is already committed and available. Most of the work needed to prepare for this use would be done as part of routine grassland management duties. The decision to use a cooperative farmer for haying would only follow as part of strategies developed under grassland management discussions. The additional time needed to coordinate issuance and oversight of the needed Special Use Permit or Cooperative Farming Agreement for haying is relatively minor and within existing district resources.

**Anticipated Impacts of the Use:**

Haying will result in short-term disturbances and long-term benefits to both resident and migratory wildlife using Waterfowl Production Areas. Short-term impacts will include disturbance and displacement typical of any noisy heavy equipment operation. Cutting and removal of standing grasses will also result in short-term loss of habitat for those species requiring tall grasses for feeding and perching such as obligatory grassland species (e.g. bobolink). Long-term benefits will accrue due to the increased vigor of the re-grown grasses or the establishment of highly desirable native grass species, which will improve conditions for those same species affected by the short-term negative impacts. Longer-term negative impacts may occur to resident wildlife species such as pheasant that would lose overwintering habitat in the hay areas. Strict time constraints placed on this use will limit anticipated impacts to these relatively minor areas.

**Public Review and Comment:**

This Compatibility Determination was prepared concurrently with, and included in the Draft Environmental Assessment for Waterfowl Production Areas in Jefferson

County, New York. Public meetings will be held and written comments will be solicited from the public about Wetland and Grassland Management District operations with the release of the Draft Environmental Assessment as part of the NEPA process.

**Determination:**

☐ Use is Not Compatible

☒ Use is Compatible With Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

1. Haying will only be allowed after July 15 to minimize disturbance to nesting migratory birds. In normal years, most birds are off the nest by this date.
2. Bales must be removed from the WPA within 2 days of baling.
3. Windrowed grass left lying to dry prior to baling must be raked and moved every 2 days if left on newly seeded native grass and in no cases should remain on the ground more than 6 days prior to baling.

**Justification:**

Haying will not materially interfere with waterfowl production if done within the necessary stipulations. Use of haying as a management tool can be a valuable technique for providing long-term habitat improvements to grassland that otherwise would degrade through natural succession or dominance of non-native plants. Without this tool, the areas would suffer encroachment of undesirable woody species such as box elder or ash or would remain in unwanted non-native cool season grasses such as brome. Use of the areas by trust species such as waterfowl or grassland obligate species such as bobolink or grasshopper sparrow would slowly decline in the absence of haying or other similar management.

Haying to establish or improve the quality of grassland areas will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of WPAs or easements, and further, contribute to the NWRS mission. Haying through cooperative farming activities, in most cases, provide the fastest, most cost effective way to establish native grassland species on areas that have unacceptable levels of chemical residue, noxious weeds, or non-native plant species or ecotypes. District staff could complete all work, but for most districts that would require additional equipment and/or staff to efficiently break up non-native brome sod, or to cultivate and control weeds on small, widely scattered tracts of land. Hiring contractors to do this work at rates that can approach \$100/acre is a possibility, but would require additional funds in years when the farming acres were high. By using local farmers to conduct these farming activities, district budgets and staff time can be better allocated to completing the needed restoration (seeding of native grasses and forbs) on lands that have completed the farming cycle and are in good condition for seeding.

**Signature:    Refuge Manager** \_\_\_\_\_  
(Signature and Date)

**Concurrence: Regional Chief** \_\_\_\_\_  
(Signature and Date)

**Mandatory 10-year Re-Evaluation Date:**   2016



## **COMPATIBILITY DETERMINATION**

**Use: Hunting**

**Station Name: St. Lawrence Wetland and Grassland Management District**

**Establishing and Acquisition Authority(ies):**

**Waterfowl Production Areas - The Migratory Bird Hunting and Conservation Stamp Act, March 16, 1934, (16 U.S.C. Sec. 718-718h, 48 Stat. 452) as amended August 1, 1958, (P.L. 85-585; 72 Stat. 486) for acquisition of “Waterfowl Production Areas”; the Wetlands Loan Act, October 4, 1961, as amended (16 U.S.C. 715k-3 - 715k-5, Stat. 813), funds appropriated under the Wetlands Loan Act are merged with duck stamp receipts in the fund and appropriated to the Secretary for the acquisition of migratory bird refuges under provisions of the Migratory Bird Conservation Act, February 18, 1929, (16 U.S.C. Sec. 715, 715d - 715r, as amended.**

**FmHA fee title transfer properties - Consolidated Farm and Rural Development Act 7 U.S.C. § 2002.**

**Refuge Purpose(s):**

**Waterfowl Production Areas - “....as Waterfowl Production Areas” subject to “....all of the provisions of such Act [Migratory Bird Conservation Act]....except the inviolate sanctuary provisions....” and “...for any other management purpose, for migratory birds”**

**FmHA fee title transfer properties - “for conservation purposes....”**

**National Wildlife Refuge System Mission:**

**“...To administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”**

**Description of Use:**

**(a) What is the use? Is the use a priority public use?**

**The use is hunting in accordance with State regulations and seasons. Hunting is a priority public use of the National Wildlife Refuge System under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).**

**(b) Where would the use be conducted?**

**All Waterfowl Production Areas will be open to public hunting, provided that all forms of hunting or entry on all or any part of individual areas may be temporarily suspended by posting upon occasions of unusual or critical conditions of, or affecting land, water, vegetation, or wildlife populations. Acquisition of Waterfowl Production Areas is ongoing and as lands are purchased they will be opened to hunting of resident game and furbearers.**

**(c) When would the use be conducted?**

Hunting will be conducted during the State of New York big game, upland game, and waterfowl hunting seasons, and will be in accordance with Federal and State regulations. In cooperation with the States, hunt season dates and bag limits may be adjusted in the future as needed to achieve balanced wildlife population levels within carrying capacities.

**(d) How would the use be conducted?**

The use will be conducted according to State and Federal regulations. Federal regulations contained in 50 CFR pertaining to the National Wildlife Refuge System Administration Act, as well as existing District-specific regulations will apply. The District Manager may, upon annual review of the hunting program, impose further restrictions on hunting activity, recommend that the District be closed to hunting, or further liberalize hunting regulations within the limits of State law. Restrictions would occur if hunting becomes inconsistent with other higher priority District programs or endangers District resources or public safety.

Although open to all state seasons the majority of use occurs from mid September though the end of December. Waterfowl Production Areas would have trails necessary to gain access from public roads and for safety reasons, in high traffic areas, parking lots of less than 1 acre would be provided. Waterfowl Production Areas would average less than 200 acres in size and would be intermingled with private and other public lands. The State of New York manages resident game and furbearers over these broad landscapes and maintains healthy populations by allowing harvest of surpluses through recreational hunting.

**(e) Why is the use being proposed?**

By regulation (50 CFR 32.1), lands acquired as WPAs are open to the hunting of migratory game birds, and big game unless closed under the authority of 50 CFR 25.21.

Hunting is one of the priority uses outlined by Congress in the Refuge Improvement Act of 1997. The Service supports and encourages priority uses on National Wildlife Refuge lands where appropriate and compatible. Hunting is used in some instances to manage wildlife populations. Hunting is also a traditional form of wildlife-oriented recreation that can be accommodated on many National Wildlife Refuge System lands.

**Availability of Resources:**

Waterfowl Production Areas are by statute and regulation open to waterfowl hunting. These lands will be open to hunting upon acquisition and as a result access trails, parking lots, signage and other facilities, as well as staff to enforce regulations and maintain these facilities, will be provided by the Service. With the exception of additional enforcement staff time, these facilities will be used by those who hunt resident game and furbearers as well as waterfowl.

**Anticipated Impacts of the Use:**

The St. Lawrence area supports high concentrations of waterfowl. The primary waterfowl species taken by hunters are mallard, American black duck, green-winged teal, and wood duck. In addition to waterfowl, the major game species sought on the District is the white-tailed deer.

Although hunting causes mortality and temporary disturbance to waterfowl and other wildlife, harvesting populations to the carrying capacity of existing habitat insures long-term health and survival of the species. Hunting occurs well after the breeding season for waterfowl so no disturbance to this central purpose is anticipated. Installation and use of parking areas and access trails will result in minimal impacts as these parking areas and trails will be used by waterfowl hunters as well as by Service employees conducting management activities.

**Public Review and Comment:**

This Compatibility Determination was prepared concurrently with, and included in the Draft Environmental Assessment for Waterfowl Production Areas in Jefferson County, New York. Public meetings will be held and written comments will be solicited from the public about Wetland and Grassland Management District operations with the release of the Draft Environmental Assessment as part of the NEPA process.

**Determination (check one below):**

☐ Use is Not Compatible

☒ Use is Compatible With Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

1. Nontoxic shot must be used in accordance with current regulations.
2. Use of motorized vehicles is prohibited except by permit or in designated parking areas, access trails or public roads.
3. Camping, overnight use and fires are prohibited.
4. All applicable State and Federal Regulations will apply.

**Justification:**

This use has been determined compatible provided the above stipulations are implemented. This use is being permitted as it is a priority public use and will not diminish the primary purposes of waterfowl production as well as conservation of migratory birds and other wildlife. This use will meet the mission of the NWRS by providing renewable resources for the benefit of the American public while conserving fish, wildlife and plant resources on these lands. Hunting will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of WPAs or easements, and further, contribute to the NWRS mission.

**Signature:    Refuge Manager** \_\_\_\_\_  
(Signature and Date)

**Concurrence: Regional Chief** \_\_\_\_\_  
(Signature and Date)

**Mandatory 15-year Re-Evaluation Date:**   2021

## **COMPATIBILITY DETERMINATION**

**Use: Wildlife Observation and Photography**

**Station Name: St. Lawrence Wetland and Grassland Management District**

**Establishing and Acquisition Authorities:**

**Waterfowl Production Areas - The Migratory Bird Hunting and Conservation Stamp Act, March 16, 1934, (16 U.S.C. Sec. 718-718h, 48 Stat. 452) as amended August 1, 1958, (P.L. 85-585; 72 Stat. 486) for acquisition of “Waterfowl Production Areas”; the Wetlands Loan Act, October 4, 1961, as amended (16 U.S.C. 715k-3 - 715k-5, Stat. 813), funds appropriated under the Wetlands Loan Act are merged with duck stamp receipts in the fund and appropriated to the Secretary for the acquisition of migratory bird refuges under provisions of the Migratory Bird Conservation Act, February 18, 1929, (16 U.S.C. Sec. 715, 715d - 715r, as amended.**

**FmHA fee title transfer properties - Consolidated Farm and Rural Development Act 7 U.S.C. § 2002.**

**Refuge Purpose(s):**

**Waterfowl Production Areas - “....as Waterfowl Production Areas” subject to “....all of the provisions of such Act [Migratory Bird Conservation Act]....except the inviolate sanctuary provisions....” and “...for any other management purpose, for migratory birds”**

**FmHA fee title transfer properties - “for conservation purposes....”**

**National Wildlife Refuge System Mission:**

**“...To administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”**

**Description of Use:**

**(a) What is the use? Is the use a priority public use?**

**The use is to allow access to WPAs for the purpose of wildlife photography and observation on WPAs. These uses are priority public uses of the National Wildlife Refuge System under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).**

**(b) Where would the use be conducted?**

**All WPAs will be open to the public for the observation and photography of wildlife and their habitats unless specifically closed by the manager.**

**(c) When would the use be conducted?**

**Waterfowl Production Areas will be open year-round, 24 hours per day although overnight camping will not be allowed.**

**(d) How would the use be conducted?**

Allowable forms of access to WPAs include hiking, snowshoeing, cross-country skiing, canoes, and non-motorized boats. Entry on all or portions of individual areas may be temporarily suspended by posting upon occasions of unusual or critical conditions affecting land, water, vegetation, wildlife populations, or public safety.

**(e) Why is this use being proposed?**

Access for wildlife observation and photography will allow the public a means of enjoyment of scenic views and an array of wildlife including waterfowl, other migratory birds, grassland plants, and resident wildlife. WPAs provide opportunities for wildlife enjoyment not usually available on adjacent private land. Trail improvements, photo blinds, informational/orientation kiosks, and observation platforms will be considered to enhance observation and photography opportunities.

**Availability of Resources:**

Wildlife observation and photography require minimal resources. These lands will be open to public use upon acquisition. Thus, access trails, parking lots, signs, and other facilities as well as staff to enforce regulations and maintain these facilities will be provided by the Service.

**Anticipated Impacts on Refuge Purpose(s):**

Wildlife observation and photography pose minimal impacts on the purposes for which Waterfowl Production Areas were established. Access is typically by individuals or small groups on foot or using snowshoes or skis. Damage to habitat by walking is minimal and temporary. There is some temporary disturbance to wildlife due to human activity on the land. The most likely impact to WPA purposes would be during spring and early summer nesting and brood rearing but the expected sporadic and limited use by the public should not create unreasonable impacts. If significant impacts were found, action to curtail these impacts would be taken by the District Manager. Winter activities generally pose no impacts to nesting waterfowl and little impact to vegetation. The winter disturbance to resident wildlife is temporary and minor. Large groups typically use established foot trails with little impact on vegetation. Disturbance to wildlife, such as flushing a nesting bird, is inherent to these activities; however, the disturbance is temporary and generally not malicious. Any unreasonable harassment would be grounds for the manager to close the area to these uses or restrict the uses to minimize harm.

Parking lots and access trails would have minimal impacts because they would be relatively small in size, generally have established cover on them, and typically mowed after the nesting season is complete. They would also allow for safe use of these public lands. Use of most WPAs for the purpose of wildlife observation and photography is minimal.

**Public Review and Comment:**

This Compatibility Determination was prepared concurrently with, and included in the Draft Environmental Assessment for Waterfowl Production Areas in Jefferson County, New York. Public meetings will be held and written comments will be solicited from the public about Wetland and Grassland Management District

operations with the release of the Draft Environmental Assessment as part of the NEPA process.

**Determination:**

☐ Use is Not Compatible

☒ Use is Compatible With Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

1. Certain modes of access such as non-motorized vehicles and bicycles will be limited to designated trails, public roads, and parking lots, or such access by special permit.
2. Camping, overnight use, and fires are prohibited.
3. No photo or viewing blinds may be left over night.
4. Harassment of wildlife or excessive damage to vegetation is prohibited.

**Justification:**

This use has been determined compatible because wildlife viewing and photography will not materially interfere with or detract from the purposes of the WPA, including waterfowl production. The level of use for wildlife observation and photography is moderate on most WPAs. The associated disturbance to wildlife is temporary and minor. Wildlife observation and photography are priority public uses and inculcate visitors with the joys of abundant wildlife and wild lands. These uses also help fulfill the mission of the National Wildlife Refuge System by facilitating an appreciation for wildlife, as well as Service and System recognition.

Signature:    Refuge Manager \_\_\_\_\_  
(Signature and Date)

Concurrence: Regional Chief \_\_\_\_\_  
(Signature and Date)

Mandatory 10-year Re-Evaluation Date: 2021



## **COMPATIBILITY DETERMINATION**

**Use: Furbearer Management**

**Station Name: St. Lawrence Wetland and Grassland Management District**

**Establishing and Acquisition Authority(ies):**

**Waterfowl Production Areas - The Migratory Bird Hunting and Conservation Stamp Act, March 16, 1934, (16 U.S.C. Sec. 718-718h, 48 Stat. 452) as amended August 1, 1958, (P.L. 85-585; 72 Stat. 486) for acquisition of “Waterfowl Production Areas”; the Wetlands Loan Act, October 4, 1961, as amended (16 U.S.C. 715k-3 - 715k-5, Stat. 813), funds appropriated under the Wetlands Loan Act are merged with duck stamp receipts in the fund and appropriated to the Secretary for the acquisition of migratory bird refuges under provisions of the Migratory Bird Conservation Act, February 18, 1929, (16 U.S.C. Sec. 715, 715d - 715r, as amended.**

**FmHA fee title transfer properties - Consolidated Farm and Rural Development Act 7 U.S.C. § 2002.**

**Refuge Purpose(s):**

**Waterfowl Production Areas - “....as Waterfowl Production Areas” subject to “....all of the provisions of such Act [Migratory Bird Conservation Act]....except the inviolate sanctuary provisions....” and “...for any other management purpose, for migratory birds”**

**FmHA fee title transfer properties - “for conservation purposes....”**

**National Wildlife Refuge System Mission:**

**“...To administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”**

**Description of Use:**

**(a) What is the use? Is the use a priority public use?**

**The use is furbearer management. Furbearer management is not a priority public use of the National Wildlife Refuge System under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).**

**(b) Where would the use be conducted?**

**The primary areas for furbearer management would be locations where the targeted species cause damage to District resources such as flooding of riparian forest habitat (or other sensitive plant communities), or refuge roads and trails, and in areas where it will accomplish the goals and objectives of the District’s Habitat Management Plan, such as the balance of predator/prey levels, marsh ecosystem dependence and beaver cycling. Furbearer Management will be permitted in most areas of the District WPAs.**

The District will work with affected States to seasonally inventory targeted species activity to determine trapping locations. District law enforcement would ensure that trappers on the District comply with state and District regulations and that data submitted to the District is accurate. Designation of Habitat Management Plan management areas and limiting the number of trappers in each zone may help prevent conflicts between trappers. In addition, identifying trapping zones would allow the District to either concentrate or reduce trapping effort in areas where management intervention is desirable. By identifying locations where specific trappers are permitted on the District; enforcement of District and state regulations will be facilitated. Zoning may also provide better quality trapping experiences by preventing overlap with other trappers. However, if necessary, trapping efforts may be concentrated or zoning eliminated to meet District resource protection goals.

**(c) When would the use be conducted?**

Trapping would be permitted for a wide variety of species; however, mink, racoon, muskrat, red fox, and beaver are the primary target species. As a result, most trapping activity on WPAs is concentrated in wetland areas.

Trapping seasons for various species of wildlife generally run from October through December or March/April. According to New York State regulations, traps must be checked once in each 24 or 48 hours, depending on species and location (land vs. water).

Further information on trapping can be found at:

<http://www.dec.state.ny.us/website/dfwmr/wildlife/guide/trapping.html>

The annual occurrence of furbearer management within St. Lawrence Wetland and Grassland Management District will be at the discretion of the District Manager and will depend on the population size of the targeted species, and management objectives.

**(d) How would the use be conducted?**

Trappers may utilize leghold traps, box or cage traps, and body-gripping (“Conibear” type) traps for the purpose of trapping various furbearers, small game, and unprotected species of wildlife. Snares are prohibited for trapping. Each method is qualified under State regulation as to trap size and types of allowable sets in order to protect non-target species, and provide for the safe use of the area by others.

Access for trapping on WPAs would almost exclusively be by foot. Walking and snowshoeing would be the primary means of access. When conditions allow, some limited, non-motorized boat access may occur for the purpose of trapping. Travel on WPAs by highway vehicles, ATVs (3 and 4-wheelers), and snowmachine is prohibited at all times. Established parking lots to facilitate all allowed public uses would also include parking for trappers.

**(e) Why is this use being proposed?**

By regulation (50 CFR 31.16), lands acquired as WPAs are open to public trapping unless closed under the authority of 50 CFR 25.21.

#### **Availability of Resources:**

There is no incremental increase in administering this activity, as allowed, above the stations' general operating costs that we can attribute directly to the public trapping program.

#### **Anticipated Impacts of the Use:**

Furbearer Management can potentially impact the waterfowl production of WPAs through both direct and indirect impacts. Direct impacts are those where there is an immediate cause and effect relationship between the activity and the resources required to fulfill the waterfowl production purpose and System mission. Direct impacts may include such effects as killing or displacing of waterfowl during the pair bonding/nesting season, or destruction of nests by trampling.

Indirect impacts are those where the effects of the permitted activity affect other populations or habitats that in turn have direct impacts on waterfowl production and the System purpose. Indirect impacts may include catch of target and non-target species that are predators on waterfowl and/or nests, or removal of species that induce habitat change (i.e. beaver). Impacts, either direct or indirect, may be negative, neutral, or positive. Because of the temporal separation of trapping activities and waterfowl using the areas for production, direct impacts to waterfowl production by trappers is negligible. Beaver trappers using WPAs after early March, undoubtedly disturb individuals on occasion, and cause temporary displacement of waterfowl from specific and limited areas. These impacts would be occasional, temporary, and isolated to small geographic areas. Any habitat change as a result of the physical impacts of trapping activity (trampling, etc.) would be undetectable and insignificant.

Indirect impacts to waterfowl production do result from the removal of animals under a trapping program. In many instances, these impacts are positive. Many species that may be trapped are predators on waterfowl at various stages in the production cycle. Controlling populations of predators on waterfowl has generally positive impacts on the waterfowl purpose which vary in significance among areas. Timing of the removal of predators, size of the WPA, and adjacent land use all affect the degree to which predator management, through a public trapping program, benefits waterfowl production. Impacts to waterfowl production habitat occur as a result of removal of species such as beaver and muskrat. Due to the societal requirements to intensively manage water levels on WPAs, managing beaver and muskrat populations at reasonable levels through a public trapping program results in positive impacts to waterfowl production and minimizes the need to commit Service resources to the same end.

Indirect impacts to waterfowl production occur as a result of the effects of trapping on the target, or non-target, species' populations. Most species of interest to trappers and common "non-target" catches (i.e. skunk, free-ranging house cat) are predators on waterfowl at some point in the production cycle. Management of red fox, raccoon, mink, otter, and skunk populations, through a regulated trapping program is, at worst, a neutral impact, and likely a positive one in most cases on the waterfowl production purpose. Due to edge effects and concentrations of nesting waterfowl, the

impacts of predator management are likely inversely related to WPA size. The average size of the WPAs will be less than 200 acres. In these small parcels, the effects of only a few individual predators can be highly significant on waterfowl production in the local area. Timing of the removal of predators also affects the impact that this activity has on waterfowl production. Again, depending on the time of year, impacts on waterfowl production may be neutral or positive. While there is considerable debate about the effects of the presence of coyotes on waterfowl production, the density and subsequent harvest of coyotes through the trapping program is insignificant. Likewise is the harvest of other species that are permitted under State regulations (i.e. gray fox, opossum, martin, fisher, otter).

Other indirect impacts on waterfowl production occur as a result of the manipulation of populations of species that affect habitat. Beaver and muskrat, by their nature, affect habitat that, in turn, may affect waterfowl production. Upon initial analysis, we often think of beaver and their wetland construction activities, and muskrat with their propensity to maintain open water, as beneficial to waterfowl production. In exceptionally large marshes and in pre-settlement times, this is/was likely the case. However, the landscape of this area has been so altered through agricultural conversion that few historic ecosystem functions remain intact. Other than the fact that water continues to flow downhill, the hydrology of this landscape bears little resemblance to its pre-settlement conditions. Dikes, levees, roads, culverts, tile lines, pumps, and water control structures work to move and confine water with calculated purpose.

Direct impacts to the waterfowl production purpose are negligible due to the temporal separation of most trapping activity and the use of WPAs by waterfowl for production. Limited disturbance of individuals and pairs undoubtedly occurs from beaver trapping activity occurring after early March. These temporary and isolated disturbance events result in temporary displacement of birds from a specific location. Due to the duration of these events, the small number of individual waterfowl involved, and the limited geographic area impacted by the presence of one or a few individuals, these impacts on waterfowl production and the System mission are negligible.

Ramifications of disruption to this system can include private property damage, public safety hazards, disgruntled neighbors, and legal liability. As a result, the U.S. Fish and Wildlife Service intensely manages water on WPAs to provide for waterfowl production and to fulfill the mission of the National Wildlife Refuge System, while remaining within societal constraints. Left unchecked, beaver activity results in disruption to the water flow when culverts and water control structures are blocked. High muskrat populations are detrimental to levees and dikes as individuals burrow into these structures and compromise the structural integrity. Without the ability to control water levels, our waterfowl production purpose would suffer as would our ability to contribute to the System mission. A public trapping program facilitates management of beaver and muskrat populations at such levels that many benefits created by these species are realized, yet the ability of the Service to manage water levels is not compromised. On a statewide basis, beaver harvest has remained fairly stable over the past decade in spite of the decline in the number of trappers

participating in the activity. The muskrat harvest fluctuates widely driven by fur prices and the natural fluctuations in muskrat populations.

When considering impacts to the System mission, impacts also include those to the furbearer populations themselves. Individual animals are harvested and removed, yet data indicates these furbearer populations are not being significantly impacted by furbearer management.

While the red fox population is still considered healthy and viable in New York State, coyote population increase has contributed to some decline in red fox numbers since these species are not particularly compatible. Likewise, the muskrat population is also showing some decline, but that cannot be attributed solely to trapping; other impacts such as loss of habitat are currently being analyzed.

A national program has been designed to systematically improve the welfare of animals in trapping through trap testing and development of Best Management Practices (BMPs) for Trapping Furbearers in the United States. This is operated under the guidance of the Fur Resources Technical Subcommittee of the International Association of Fish and Wildlife Agencies (International Association of Fish and Wildlife Agencies 1998). As would be expected, in practicing an integrated and comprehensive approach to furbearer management, the District would cooperate with and contribute to the development and implementation of the BMPs where possible.

**Public Review and Comment:**

This Compatibility Determination was prepared concurrently with, and included in the Draft Environmental Assessment for Waterfowl Production Areas in Jefferson County, New York. Public meetings will be held and written comments will be solicited from the public about Wetland and Grassland Management District operations with the release of the Draft Environmental Assessment as part of the NEPA process.

**Determination:**

☐ Use is Not Compatible

☒ Use is Compatible With Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

1. Trapping activity must be conducted in compliance with existing State regulations.
2. Trappers must comply with existing WPA access and use regulations.
3. Permittees must comply with all Conditions of the District Furbearer Management Special Use Permit and all State Trapping Regulations of the State.
4. Traps shall be set only where traps or trapped furbearers are not visible from public highways, overlooks, or other visitor facilities.

5. Trappers, when requested by Federal or State enforcement officers, must display for inspection their State Trapping License, District Trapping Permit, trapping equipment, and all animals in their possession.
6. One sub-permittee is allowed. The sub-permittee must be listed on the permit and have all applicable State licenses. The sub-permittee may trap the unit without the permittee only if prior approval is granted to the permittee by the District Manager.
7. Ingress to and egress from the WPAs shall be by only routes that are currently open for travel. No motorized vehicles are allowed behind gates or off designated routes.
8. Permittees shall, no later than 10 days after the last day of the District trapping season, submit to the District Manager the trapping report form provided with the Trapper Permit on which the number of each species of animals taken and the location where the animal was taken is correctly stated.
9. Unless otherwise stated by the District Manager, the District trapping season will run concurrently with the State season.
10. The Fish and Wildlife Service assumes no responsibility for theft of equipment or animals.
11. Failure by permittees or sub-permittees to comply with any of the above provisions or the violation of any District regulations, or state laws or regulations applicable to trapping on the District, shall render him or her subject to prosecution under said laws and regulations and shall be cause for the revocation of this permit and for refusal of a trapping permit for the next three (3) years.
12. This permit may be terminated at any time by agreement between the issuing officer and the permittee; it may be revoked by the issuing officer for any violation of District or state laws or regulations applicable to trapping on the District or any conditions of the trapping permit; this permit may be revoked by the issuing officer for non-use.
13. Snaring is prohibited.
14. The use of exposed bait and setting traps adjacent to naturally occurring carcasses are prohibited.
15. Foothold traps set on land must be staked with chains less than 9 ½ inches equipped with two swivels to prevent an incidentally captured lynx from entanglement around a solid object. Drag sets are prohibited.
16. Traps must be checked at least once every 24 hours.

**Justification:**

**Overall, furbearer management is a very minor public use of WPAs but is an important management tool in localized areas. The public trapping program on WPAs allows for public opportunity and management of furbearer populations. Consistent with the System mission, trapping on WPAs results in management of populations and is not a “control” program intending to eliminate components of the ecosystem for the benefit of others. Discussions with the state-wide trapping biologist with the New York State Department of Conservation on trapping activity and wildlife populations indicate removal of individuals, under the current management scheme, is not resulting in harm to the target populations. The furbearer management program will not materially interfere with or detract from the Service’s ability to meet our purpose of waterfowl production or the mission of the National Wildlife Refuge System.**

[illegible]

Concurrence: Regional Chief \_\_\_\_\_  
(Signature and Date)

Mandatory 10-year Re-Evaluation Date: 2016

### Literature Cited:

**International Association of Fish and Wildlife Agencies. 1998. Best management practices for trapping furbearers in the United States. International Association of Fish and Wildlife Agencies, Washington, D.C.**

